



# STATE OF CONNECTICUT

## CONNECTICUT STATE LIBRARY

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**Testimony of Kendall Wiggin, State Librarian  
Connecticut State Library  
Concerning Senate Bill No. 418  
"An Act Adopting the Uniform Electronic Legal Material Act and  
the Uniform Certificate of Title for Vessels Act"  
Committee on Judiciary – Public Hearing  
March 19, 2012**

Chairpersons Coleman and Fox and distinguished members of the Judiciary Committee, the State Library supports the adoption of the Uniform Electronic Legal Material Act (UELMA) included in SB 418; however, I have two recommendations which are detailed below. Earlier this year I submitted a report to the Governor titled "Recommendations of the State Librarian for Establishing Standards and Guidelines for the Preservation and Authentication of Electronic Documents," pursuant to Public Act 11-150 which called for the adoption of UELMA. UELMA is an important part of our strategy to address the authentication and the long term preservation of electronic government information.

### **I. Statutory Definition of "Official Record Copy"**

In Section 4(a) of the proposed bill, it states, in part, "If an official publisher publishes legal material only in an electronic record, the publisher shall: (1) Designate the electronic record as official." However, there is not yet a definition of "official record" in the statutes.

In line with the above mentioned report, I included four legislative proposals for statutory modification.

- As stated in Legislative Proposal #2 in this report, I recommend that the definition of "official record copy" be added to CGS Sec. 1-14a:
  - **Proposed definition of "official record copy"**  
(NEW) (Effective from passage) **Sec. 1-14a. "Official record copy" defined.** "Official record copy" means the single copy of a record, often the original, which is designated as the official and legally recognized copy for records retention, preservation, and authentication.

This addition will ensure that there is a definition of "official records copy" in the statutes.

### **II. Guidelines and Standards in Accordance with CGS Sections 11-8 and 11-8a**

In Section 9 of the proposed bill, subsection (2), I recommend an addition, as follows:

"Sec. 9. In implementing the provisions of sections 1 to 11, inclusive, of this act, an official publisher of legal material in an electronic record shall consider:.... (2) The most recent standards regarding authentication of, preservation and security of, and public access to, legal material in an electronic record and other electronic records, as promulgated by national standard-setting bodies and any guidelines and standards as established by the State Librarian or the Public Records Administrator in accordance with sections 11-8 and 11-8a."

This revision will bring the legislation in line with existing statutes and past legislative intent.